

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

TRUSTEES OF THE SUBURBAN TEAMSTERS)	
OF NORTHERN ILLINOIS WELFARE AND)	
PENSION FUNDS,)	
)	
Plaintiffs,)	
)	No. 2010 C 1725
v.)	
)	Judge Castillo
)	
40CAL TRUCKING, INC.,)	Magistrate Judge Cole
an Illinois corporation)	
)	
Defendant.)	

MOTION FOR JUDGMENT IN SUM CERTAIN

NOW COMES the Plaintiff, TRUSTEES OF THE SUBURBAN TEAMSTERS OF NORTHERN ILLINOIS WELFARE AND PENSION FUND, by and through its attorney, JOHN J. TOOMEY, ARNOLD AND KADJAN, and pursuant to FRCP 55 move for judgment in sum certain as stated in this Complaint and the supporting Affidavits attached hereto. In support of its Motion, Plaintiffs state as follows:

1. Suit was filed on March 18, 2010 to obtain an audit for collection of delinquent contributions plus attorneys' fees, costs and interest under 29 U.S.C. 1132(g)(2). An audit for the period August, 2009 through December, 2009 took place on April 5, 2010.
2. Sservice upon 40CAL TRUCKING, INC., an Illinois corporation was made on the Defendant on March 31, 2010, and a copy of the proof of service was filed with the court on April 9, 2010.

3. Defendant is now in default as to the Complaint and as supported by the attached Affidavits the sums due are:

\$1,453.19 Pension
\$2,788.22 Welfare
\$925.00 Attorneys fees
\$440.00 Court costs
\$5,606.41

WHEREFORE, Plaintiff prays for:

1. Entry of judgment against Defendant, 40CAL TRUCKING, INC., an Illinois corporation, and in favor of Plaintiffs, TRUSTEES OF THE SUBURBAN TEAMSTERS OF NORTHERN ILLINOIS WELFARE AND PENSION FUNDS in the amount of \$5,606.41.

TRUSTEES OF THE SUBURBAN TEAMSTERS
OF NORTHERN ILLINOIS WELFARE AND
PENSION FUNDS

s/John J. Toomey
ARNOLD AND KADJAN
19 W. Jackson Blvd., Suite 300
Chicago, IL 60604
Telephone No.: (312) 236-0415
Facsimile No.: (312) 341-0438
Dated: July 19, 2010